

construction, repairs and maintenance, such as superintendent of road construction and repairs, superintendent of the convict force engaged in road work, highway engineer, any or all of which positions may be united in the same person; to fix the compensation of, and prescribe the forms and amounts of bonds which shall be given by such appointees for the faithful performance of their duties; to prescribe the powers and duties of such appointees and to authorize them to employ, subject to the approval of the board, such subordinates or employees as may be needed. The board shall have power, for causes which it deems good, and of which it shall be the sole judge, to discharge any appointee or employee at any time. The board may incur any expense which it deems needful in the examination of road work in other counties or States or to secure proper instruction in road work.

Compensation and bonds.

Power of discharge.

Examination and instruction.

SEC. 5. The permanent roads to be built, or improved, by the board of county commissioners, shall from time to time be determined upon and designated by the board, taking into consideration the needs of the whole county, and every part thereof, opening or improving those roads which in their opinion will be of benefit to the greatest possible number of the people of the county, and treating every section of the county with equal justice.

Designation of permanent roads.

SEC. 6. For the purpose of constructing, improving or repairing public roads, the superintendent of road work, or other person engaged in or connected with the road work, after first consulting the owner or his agent, shall have authority to enter upon any uncultivated land near to or adjoining the roads, or any improved or cultivated land when unencumbered by cultivated crops, to cut or carry away any timber except trees left for ornament or shade, to dig or cause to be dug and carried away any stones, gravel, earth or sand which may be necessary to construct, improve or repair said road; and to enter upon any land adjoining or lying near the road, to make such drains or ditches through the same as may be necessary for the benefit of the road, doing as little injury to the land as possible, and any person willfully obstructing such drains or ditches, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five dollars for each day the obstruction remains. Any landowner considering himself damaged by reason of acts authorized in this section, may within sixty days from the commission of the act complained of, present his claim to the board, who shall pass thereon within thirty days, and the owner may within ten days from notice of the decision, appeal to the supreme court. If the owner shall not recover a greater amount than that offered in the decision of the board, he shall be taxed with all costs of the appeal.

Entrance on land for material.

Drains and ditches.

Obstruction of drains and ditches a misdemeanor.

Punishment.

Claims for damages.

Appeals.

Costs on appeal.

SEC. 7. The board of commissioners shall have power, on petition or on their own motion, to relocate, construct, widen or otherwise change public roads or parts thereof, and to lay out and construct

Location and change of roads.